

Channel 4 Online Editorial and Compliance Protocol

1. Purpose of this Document

The purpose of this Editorial & Compliance Protocol (the 'Protocol') is to ensure consistency of approach across all our platforms both linear and non linear, to ensure that Channel 4 Online's staff have editorial responsibility for content they commission or produce, and to ensure there is an effective editorial & compliance referral up procedure for Online.

It is the responsibility of all staff working in Online to ensure that they have read this Protocol and are familiar with the rules and procedures it contains. The Protocol should also be issued to all third party suppliers.

The Protocol covers all content published by Channel 4 on non-linear digital platforms. This includes:

- All video content, including material created exclusively for non-linear digital platforms; full length programmes; clips and trailers
- Text, images, games, quizzes, polls
- Applications and other interactive elements
- Competitions
- Advertising, advertising funded campaigns, content and sponsorship
- User generated content.

2. The Law

There is a general misconception that the law does not apply to online content in the same way as it does to conventional platforms such as television. In fact online content is subject to the law in the same way as any other published content.

This includes, for example, the laws relating to libel, contempt, child protection, copyright, privacy, and criminal and terrorism legislation. Further details can be found in Channel 4's Independent Producer Handbook (the "Handbook"). The Handbook is a 'one-stop shop' for best practice and compliance and is an invaluable tool for all content commissioners and producers. Anyone involved in commissioning, creating and/or publishing content should be conversant with the Handbook, which also includes Channel 4's best practice guidelines. It can be viewed and downloaded at:

<http://www.independentproducerhandbook.co.uk>

In addition to the legal issues referred to above, the Data Protection Act 1998 (the "DPA") sets out strict rules, with civil and criminal sanctions for breaches, that you need to be aware of concerning the collection, storage, use, processing, provision of access to and safeguarding of "personal data". Personal data is any data from which an individual could be identified – for example, names, addresses, telephone numbers, email addresses, dates of birth, bank and payroll details, next of kin, passport details, driving licence numbers, or any combination of that type of information. You will be involved in activity covered by the DPA whenever you deal, either manually or by an automated process, with any information relating to individuals e.g. competition entries or the creation of a database of people interested in a certain subject. If you are planning any work which may involve personal data, you should seek legal advice at an early stage from the Corporation Secretary in the Corporate Legal Department.

Channel 4's Legal & Compliance Department advise on all content-related legal and compliance issues in the making, broadcast or publication of content on all Channel 4 platforms. It is your responsibility to ensure that appropriate consultation takes place with lawyers from the department at the relevant stage and certainly before content is published.

3. Regulation

"Television like services" e.g. VOD, and some other online and mobile content, is subject to statutory regulation by the Association for Television On Demand ("ATVOD") for on demand service providers:

<http://atvod.co.uk>

ATVOD has statutory powers including a full range of sanctions to enforce the Audio Visual Media Services ("AVMS") Regulations 2009 and 2010 including those relating to:

- Incitement of hatred
- Protection of the under 18's
- Sponsorship
- Product Placement

Online advertising which accompanies on demand services is regulated by the Advertising Standards Authority ('ASA').

Mobile content which is not a VOD service regulated by ATVOD is self regulated under the Independent Mobile Classification Body ('IMCB') which operates a classification framework on how content providers should classify their content. It can be viewed and downloaded at:

<http://www.imcb.org.uk/classificationframe/>

4. Online Editorial Procedures

Channel 4 Online's editorial procedures consist of the following:

- Editorial Responsibility
- Editorial Referral –Up Process
- Online Consumer Protection
- Guidelines for Content Types
- Other protocols
- Training

All staff in any way involved in Online projects, whether at Channel 4 or externally, must ensure that they have read these procedures and that they follow them at all times.

4.1 Editorial Responsibility

The individuals commissioning, creating and/or publishing the content at C4, and those externally who are engaged by C4 to do so, are responsible for the editorial decisions they are making. Crucially this includes making sure that all content they are responsible for has been subject to the appropriate level of editorial and compliance scrutiny at every stage prior to, at and after publication.

Through-the-line editorial ownership is a key principle within the creative team at Channel 4 (covering both television and online), which means that the commissioning editor of a television programme also has ultimate editorial ownership and responsibility for how their programme is represented online and on non-linear digital platforms.

In general, the content commissioners/producers/publishers in Online must liaise with stakeholders during the planning process to identify potential risks. Post launch, they are responsible for continuing to liaise with community managers, press, marketing, the viewers' editor and commissioning to monitor user comments and internet discussions, and follow the referral up process set out below as and when necessary.

The following principles outline the editorial responsibility for content published on all new platforms and services:

- Those commissioning, making and publishing content for online platforms are responsible for making their own editorial judgements, and when in doubt they should refer up.
- The editorial ownership of content published on the site is the responsibility of the person in Channel 4 who commissioned or created it.
- The compliance process is a collaborative process between internal commissioning/production, third party suppliers and the Legal & Compliance Department.
- The cardinal principle is editors decide and lawyers advise.
- Timeliness is a key principle – content must be checked in advance of publication, referred up as soon as an issue arises, removed in a timely manner, and periodically checked if it remains accessible to the public.

In practical terms, those editorially responsible for commissioning, making and/or publishing content at Channel 4 must:

- Be fully conversant with all material that is being produced for publication on C4's own sites, whether produced internally or by third party suppliers
- Ensure any contentious material (or material related to a contentious programme) is read/checked before it goes live
- Ensure any relevant underlying rights in the material have been cleared as necessary
- Seek advice before and after publication in a timely manner on any matters giving rise to legal issues or requiring advice from the Legal & Compliance Department (for example, libel, contempt of court and privacy)
- Immediately refer up any queries or concerns in relation to existing published material
- Review existing published material periodically in order to ensure that the passage of time has not rendered it legally problematic or in breach of this Protocol.
- Respond immediately to any takedown requests
- Manage effectively the relationship with and outputs of third party suppliers
- Ensure all advertising (pre-roll, banner, sponsorship, ad-funded content) is compliant before it is published, and only published around age and subject-suitable content

- Ensure all external third party suppliers of content are made contractually responsible for ensuring the suitability of content from a legal and compliance perspective before submitting the material to the Channel. However, this does not relieve Channel 4 editorial staff of ultimate responsibility for such content and ensuring that the requirements of this Protocol are adhered to at all times.

The key principles to minimising risk around content created by third parties are:

- C4 staff responsible for commissioning the content must maintain a close relationship with the third party suppliers producing material for them
- C4 staff responsible for commissioning the content are responsible for ensuring that all staff, whether internal or external, are adequately trained in editorial, legal and compliance issues, and properly resourced to do the job asked of them. If they are not adequately trained, they are not permitted to publish any content, until they have received the appropriate training
- Any programme identified as contentious must have all online material related to it checked by a senior editorial executive in C4 before it is published or prior to the pages being updated
- C4 staff responsible for commissioning the content are responsible for ensuring external suppliers are actively reviewing, in detail, all the content, to identify potential editorial, legal or compliance issues

Photosensitive epilepsy (PSE) is a serious medical condition which can be triggered by flashing images or certain patterns. C4 editorial staff responsible for commissioning content must be alert to this risk, and must ensure that all suppliers understand and act on the risk too. Any content which contains flashing images and/or patterns that could conceivably give rise to a PSE risk should be referred up by the supplier to the C4 staff responsible for the content. This will then enable the Channel 4 to check the content and ensure appropriate precautions are in place to maintain a low level of risk to users who have photosensitive epilepsy, either by editing the material or by warning users of the content.

4.2 Editorial Referral -Up Process

The editorial 'referral-up' procedure exists to ensure that difficult or fine-cut decisions on editorial matters are properly considered by the most appropriately experienced and senior editorial executives within the Channel, up to the Chief Creative Officer ("CCO") and ultimately the Chief Executive ("CE"). **The key principle is "if in doubt refer"**. This editorial referral –up process is mirrored by a similar process which enables lawyers from the Legal & Compliance Department to refer up to the Chief Operating Officer ("COO") and ultimately the CEO on legal and compliance issues.

Staff should be aware that there are a number of areas relating to programme content where timely and appropriate editorial and compliance referral-up before (and in some cases after) publication is required. These are set out in the Independent Producer Handbook page 2.14. Some are equally applicable to content published online, so staff should familiarise themselves with the list which is not an exhaustive list of issues. It can be viewed at:

<http://www.independentproducerhandbook.co.uk/34/channel-4s-compliance-procedures/issues-requiring-referralup.html>

There are two referral-up routes for digital content or activities around Channel 4's brands and programming:

1. Content and projects on Channel 4's platforms or third party sites

2. Activities on social networks.

In order to assist staff the referral routes are illustrated by a flow chart set out in Appendix 1.

Please note: Technology issues refer up through IS to the Chief Operating Officer.

4.3 Online Consumer Protection

Channel 4 offer safeguards across its new platforms and services to enable parents/adults to restrict access to post-watershed content by minors (known as Content Access Control).

Channel 4 takes the view that there must be three dimensions to effective Content Access Control:

- Guidance information before a user views a specific piece of content
- Transmission information to help users identify what is pre and post-watershed programming (when available)
- The combination of PIN protection and self-declaration of an age group.

Outlined below are specific technologies and approaches that are implemented to enable effective Content Access Controls to be offered to our users.

- Age Ratings of Programmes

All programme brands are age rated before they are published online (this data is stored in the core VOD systems, ready for use on C4's own sites as well as external sites). Broadly these reflect the linear scheduling of such content.

These age ratings are:

- No rating – safe anytime, pre-watershed family programming e.g. Countdown, A Place in the Sun, Deal or no Deal, Location Location Location, Time Team, Hollyoaks
- 16 /17 – suitable for 16+ (but post-watershed) e.g. Teachers, Faking It, 8 Out of 10 Cats, Ramsay's Kitchen Nightmares, Black Books, Jamie Oliver, some challenging documentaries
- 18+ - programmes only broadcast after 10pm (strongest adult content) e.g. Eurotrash, Brass Eye, Balls of Steel, Wedding Belles, Peep Show, Queer as Folk, Eurotrash, Sex in the Noughties, Porn the Musical

These rules are not set in stone; editorial staff must make judgement calls to determine the suitability for age on a case-by-case basis. These age ratings will not be made publicly visible on our sites (as it might encourage some children and young adults to say they are a particular age to be able to watch a programme). Instead, they will be used behind the scenes to indicate that content may not be suitable to a younger audience, and it also triggers the PIN mechanism and check-box confirmation.

- Supporting Information

A standard set of clear and specific information will be used to flag up the suitability of content and help inform users of the type of content they are about to access:

- Warnings (in-stream graphics, on page text positioned so users see the warning in advance of the content)

- Transmission information (e.g. a post-watershed TX time helps inform people to expect programmes with more adult content)
- Guidance notes

Supporting information is used on all content on Channel 4’s own websites, including video, images and text.

- Content Access Controls

Content Access Control tools (‘CAC’) will be available on all video content (including clips and full length programmes), with the following user experience:

- Prominently offer CAC as a feature across the entire site (there is a Parental Control link in the global header of Channel4.com, across all pages)
- If adults choose to enable CAC, their computer will not be able to access age-rated content unless the user first types in a PIN (Personal Identification Number)
- If CAC is not enabled and the user tries to view age-rated content, they will first be required to confirm their age.

This creates a standard system for users to understand how C4 manages adult content online, and provides comfort to parents that this type of functionality is easy to find and use.

Summary of Technologies and Warnings on C4 Products

Services	Registration	Age Confirmation	Guidance/ TX	PIN
Channel 4 websites				
- Images and text	No	No	Yes	No
- Submitting UGC Video	Yes	Yes	Yes	Yes
4oD on c4.com (Catch Up, Archive)	No	Yes – 16 & 18*	Yes	Yes
Clips on c4.com	No	Yes – clips with guidance**	Yes	Yes

The age confirmation and PIN mechanism is dictated by the age rating of the individual programme. No PIN or age confirmation will be offered for safe anytime (pre-watershed) programmes.

** Long-form video allows adults to set-up PIN protection to prevent younger audiences from viewing all rated content, (16 and 18), or 18+ rated content.*

*** Short-form video content with guidance notes is classified as 16 rated content. This will trigger age confirmation/PIN as configured by the user.*

4.4 Guidelines for content types

Unlike television, there are various content types available on new platforms. Due to the nature of the different content types various different technical tools will be used.

- C4 video (clips, full programmes)

- Content Access Controls – PIN mechanism and self-declaration for content specific to age rating
- Supporting information (warnings, TX information and guidance notes)
- Text/images/quizzes/polls/flash games/online exclusive video etc
 - Supporting information (warnings, TX information and guidance notes on pages in advance of reading or seeing images)
 - No Content Access Controls - no technical tools or self-declaration will be used on text/images subject to appropriate guidance information and Legal and Compliance advice being sought when necessary. In light of the absence of CAC, the material will need to be suitable for under 18's.
 - In-stream warnings will be used for games and exclusive video which may not be appropriate for young children.
- User Generated Content (UGC)
 - Please consult with Legal and Compliance to ensure that appropriate safeguards are in place well before the project is launched.

4.5 Other Protocols

The following existing policies are also relevant to Online and should be read in conjunction with this protocol.

- Channel 4 Online's Escalation Process – detailed operational guidelines for tracking projects, contact details and editorial take down processes.
- Competition guidelines – These are well established guidelines which require competition organisers to notify the Audience Interaction Team (Holly Fairweather and Amelia Wilson) of any competitions they intend to run. It is the responsibility of the producer running the competition to ensure their competitions are compliant with the guidelines. Holly and Amelia can assist and are able to sign off copy, answer any queries and will oversee the selection of all competition winners. Please see the Competition guidelines for further information:
- C4 Moderation manual – provides further guidance on handling moderation e.g. on UGC content
- Social Media guidelines for Facebook and Twitter – provide instructions on how to set up and manage profiles on these social networks for Channel 4 brands and personalities. Also includes tips for social media activity for contributors.

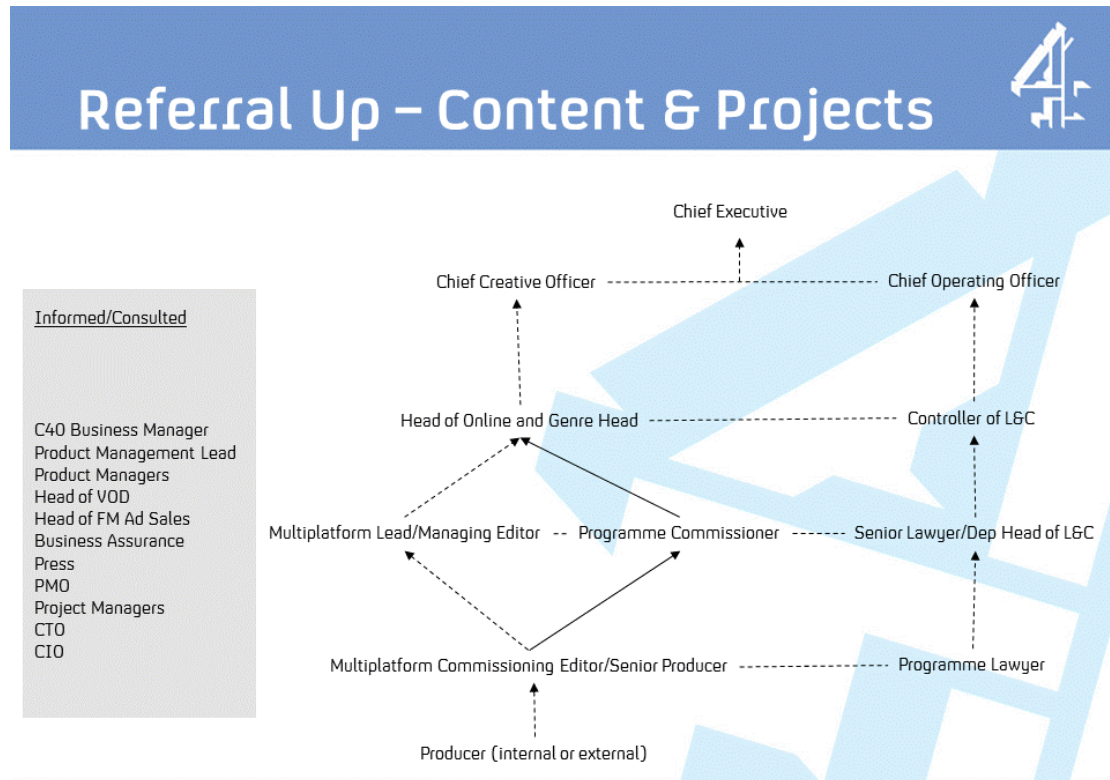
4.6 Training

Training, which is mandatory for all Online staff, will be conducted by Editorial Management, with input from Legal and Compliance, at regular intervals for both internal staff and external suppliers.

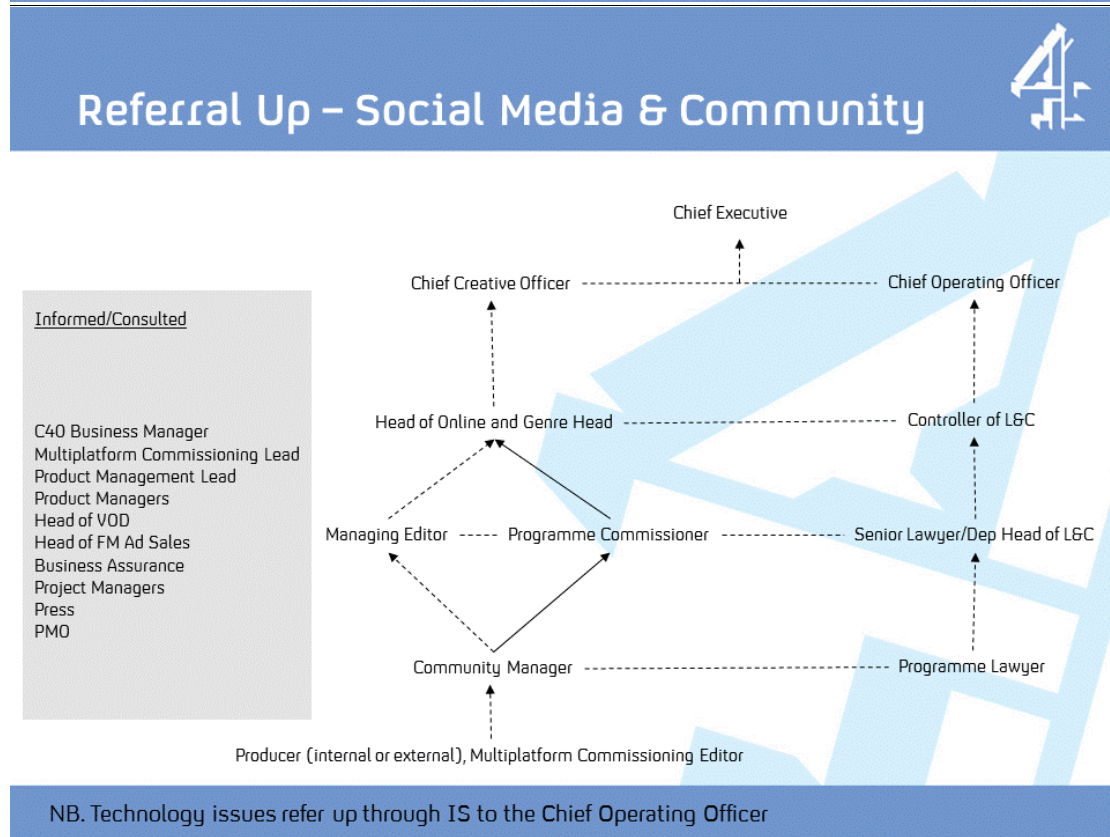
This protocol will be updated and amended from time to time to reflect editorial, legal and regulatory changes.

**Channel 4 Television
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Appendix 1 – Referral Up Processes



NB. Technology issues refer up through IS to the Chief Operating Officer



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